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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,296	09/21/1999	JOHN S. HENDRICKS	5283	3284

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EXAMINER

DADA, BEEMNET W

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/400,296

Applicant(s)

HENDRICKS ET AL.

Examiner

Beemnet W Dada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-189 is/are pending in the application.
- 4a) Of the above claim(s) 130-143 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-129 and 144-189 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/19/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's election with traverse of Group I, claims 1-129 and 144-189, in the reply filed on 7/23/2004 is acknowledged. The traversal is on the ground(s) that the search and examination of the entire application can be made without serious burden. This is not found persuasive because the data encryption/decryption method in invention I, and the interface and processor in the invention II are classified in different classes as discussed in the last office action mailed 1/29/2004.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 1-129 and 144-189 are examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 22-30, 35-53, 64-77, 80, 86-95, 97-100, 104, 105, 108-111, 113-114, 117-129, 144-146, 149-163, 167-176 and 179-189 are rejected under 35 U.S.C. 102(b) as being anticipated by Sprague et al. US Patent 5,247,575 (hereinafter Sprague).

5. As per claims 1, 86-92, 97, 108 and 117-129, 144, 50-154, 167-176, 179, 186-189, Sprague teaches a method for encrypting electronic books (see for example, news magazines, newspaper reports, col. 9, lines 17-32), comprising:

supplying an electronic book to be encrypted, supplying an encryption key and encrypting the electronic book using the encryption key (i.e., encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45);

supplying the encrypted electronic book, supplying a decryption key and decrypting the encrypted electronic book using the decryption key (decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37).

6. As per claims 2, 22-27, 35-45 and 93-95, 98, 104-105, 109-111, 145-146 Sprague further teaches encryption and decryption key are a symmetric key, further including generating the key encrypting the electronic book with the key, transmitting the encrypted electronic book to a receiver and decrypting the electronic book using the same key [see for example, column 15, lines 23-47], further including encrypting the encryption key [see for example, column 11, lines 9-26], and further including encrypting the electronic book using a DES method [see for example, column 14, lines 42-48]. Sprague further teaches transmitting book data to multiple users [see figure 1].

7. As per claims 3-5, 28-30, 99 Sprague further teaches the encryption/decryption key is generated based on random number [see for example, column 15, lines 23-47].

8. As per claim 6, 100, 149 Sprague further teaches retrieving the symmetric key from a key storage memory [see for example, column 21, lines 49-57].

9. As per claims 46-53, 113-114 Sprague further teaches transmitting the electronic book to a home system, the home system comprising a library and a viewer [see figure 1], further including encrypting the electronic book using an encryption key, transmitting the encrypted electronic book to a receiver and decrypting the electronic book using the same key [see for example, column 15, lines 23-47], further including encrypting the encryption key [see for example, column 11, lines 9-26].

10. As per claims 64-77 and 80, 155-162, 163, 180-185, Sprague further teaches creating a non-secure metadata header for the electronic book creating a secure metadata header for the electronic book, wherein the secure metadata header includes one or more of an electronic book identifier, the decryption key, a decryption algorithm, a number of copies of the electronic book that are allowed to be derived from an original electronic book file, distribution and fair use features and integrity checking information; and packaging the non-secure and the secure headers with the electronic book to create an electronic book distribution file [see for example column 21, line 57-column 22 line 31].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 7-15, 19-21, 101-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Everhart et al. US Patent 4,578,531 (hereinafter Everhart).

13. As per claims 7-15, 19-21, 101-102 Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on distributing the encryption/decryption key from a third party distribution system. Everhart teaches key distribution system wherein a central key distribution center distributes encryption/decryption keys to data sending and receiving sides [see at least abstract]. Both Sprague and Everhart teach encryption/decryption of data as well as key distribution methods. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Everhart within the system of Sprague in order to allow efficient method of key distribution.

14. Claim 16-18, 31-34, 103, 106-107, 112, 147-148 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Rivest et al. US Patent 4,405,829 (hereinafter Rivest)

15. As per claims 16-18, 31-34, 103, 106-107, 112, 147-148, Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9,

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lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system wherein the encryption and decryption key are asymmetric. However it is old and well known to use asymmetric encryption/decryption keys. For example Rivest teaches an asymmetric encryption/decryption method, using RSA technique that implements public/private key encryption/decryption methods [see for example, abstract and column 6, lines 21-37]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Rivest within the system of Sprague in order to have different keys for encryption and decryption of information.

16. Claim 57-63, 78-79 and 81-82, 116, 164-166 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Faber US Patent 4,891,838.

17. As per claims 57-63, 78-79 and 81-82, 116, 164-166 Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system comprising verifying an identity of a party sending the electronic content. However it is well known to verify an identity of a sender/receiver of information using a

password authentication method. For example, Faber teaches a password authentication method to authenticate an operator of a computer terminal [see for example abstract]. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the password authentication method of Faber within the system of Sprague because the modification further enhances the security of the system.

18. Claim 54-56, 83-85, 96, 115 and 177-178 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprague et al. US Patent 5,247,575 in view of Okamoto et al. US Patent 4,625,076.

19. As per claims 54-56, 96, 115, 83-85 and 177-178 Sprague teaches encrypting information resources, such as news magazines, newspaper reports, see for example column 9, lines 30-32, column 14, lines 30-49, column 21, lines 49-57 and column 23, lines 19-45), decrypting the information resources, see for example column 13, lines 37-41, column 6, lines 58-63, column 15, lines 22-47 and column 16, lines 24-37), further teaches encryption and decryption key are a symmetric key [see for example, column 15, lines 23-47]. Sprague is silent on the system comprising integrity checking using hash value. Okamoto teaches a signed document transmission system, including integrity checking using hash value [column 8, lines 15-41]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the integrity checking method using hashing taught by Okamoto within the system of Sprague, in order to authenticate integrity of transmitted information.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

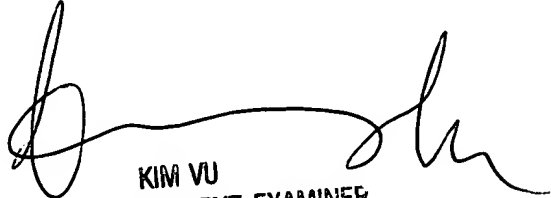
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

April 3, 2005


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